

Ranier, Minn.—Ranier International Seaplane Base
 Rochester, N.Y.—Rochester-Monroe County Airport
 Rouses Point, N.Y.—Rouses Point Seaplane Base
 San Diego, Calif.—San Diego International Airport (Lindbergh Field)
 Sandusky, Ohio—Griffing-Sandusky Airport
 Sault Ste. Marie, Mich.—Sault Ste. Marie City-County Airport
 Seattle, Wash.—King County International Airport
 Seattle, Wash.—Lake Union Air Service (Seaplanes)
 Tampa, Fla.—Tampa International Airport
 Tucson, Ariz.—Tucson International Airport
 Watertown, N.Y.—Watertown New York International Airport
 West Palm Beach, Fla.—Palm Beach International Airport
 Williston, N. Dak.—Sloulin Field International Airport
 Wrangell, Alaska—Wrangell Seaplane Base
 Yuma, Ariz.—Yuma International Airport

[T.D. 88-12, 53 FR 9292, Mar. 22, 1988, as amended by T.D. 96-44, 61 FR 25778, May 23, 1996; T.D. 99-40, 64 FR 18566, Apr. 15, 1999]

§ 122.14 Landing rights airport.

(a) *Permission to land.* Permission to land at a landing rights airport may be given as follows:

(1) *Scheduled flight.* The scheduled aircraft of a scheduled airline may be allowed to land at a landing rights airport. Permission is given by the director of the port, or his representative, at the port nearest to which first landing is made.

(2) *Other aircraft.* All other aircraft may be allowed to land at a landing rights airport by the director of the port of entry or station nearest the first place of landing.

(3) *Additional flights, charters or changes in schedule—(i) Scheduled aircraft.* If a new carrier plans to set up a new flight schedule, or an established carrier makes changes in its approved schedule, landing rights may be granted by the port director.

(ii) *Additional or charter flight.* If a carrier or charter operator wants to begin operating or to add flights, application shall be made to the port director for landing rights. All requests shall be made not less than 48 hours before the intended time of arrival, except in emergencies. If the request is oral, it shall be put in writing before or at the time of arrival.

(4) *Emergency or forced landing.* Permission to land is not required for an emergency or forced landing (see § 122.35).

(b) *Notice to Federal agencies.* If an aircraft is given permission to land at a landing rights airport, the Customs officer who granted the landing rights shall notify the Public Health Service, the Immigration and Naturalization Service, the Animal and Plant Health Inspection Service, and any other interested Federal agency at once.

(c) *Payment of expenses.* In the case of an arrival at a location outside the limits of a port of entry, the owner, operator or person in charge of the aircraft shall pay any added charges for inspecting the aircraft, passengers, employees and merchandise when landing rights are given (see §§ 24.17 and 24.22(e) of this chapter).

(d) *Denial or withdrawal of landing rights.* Permission to land at a landing rights airport may be denied or withdrawn for any of the following reasons:

(1) Appropriate and/or sufficient Federal Government personnel are not available;

(2) Proper inspectional facilities or equipment are not available at, or maintained by, the requested airport;

(3) The entity requesting services has failed to abide by appropriate instructions of a Customs officer;

(4) Advance cargo information has not been received as provided in § 122.48a;

(5) Other reasonable grounds exist to believe that Federal rules and regulations pertaining to safety, including cargo safety and security, and Customs, or other inspectional activities have not been followed; or

(6) The granting of the requested landing rights would not be in the best interests of the Government.

(e) *Appeal of denial or withdrawal.* In the event landing rights are denied or withdrawn by the port director, a written appeal of the decision may be made to the Assistant Commissioner, Office of Field Operations, Headquarters.

[T.D. 88-12, 53 FR 9292, Mar. 22, 1988. Redesignated and amended by T.D. 92-90, 57 FR 43397, Sept. 21, 1992; T.D. 95-77, 60 FR 50020, Sept. 27, 1995; T.D. 99-27, 64 FR 13675, Mar. 22, 1999; CBP Dec. 03-32, 68 FR 68170, Dec. 5, 2003]